

PROB. 12B
(7/93)

ORIGINAL

United States District Court

for the

DISTRICT OF HAWAII

FILED IN THE
UNITED STATES DISTRICT COURT
DISTRICT OF HAWAII

10 JAN 29 2008
at 10 o'clock and 20 min.
SUE BEITIA, CLERK

**Request for Modifying the Conditions or Term of Supervision
with Consent of the Offender**

(Probation Form 49, Waiver of Hearing is Attached)

Name of Offender: JEREMIAH MAYEDA

Case Number: CR 04-00141DAE-02

Name of Sentencing Judicial Officer: The Honorable David Alan Ezra
U.S. District Judge

Date of Original Sentence: 7/5/2005

Original Offense: Conspiracy to Distribute and Possess With Intent to Distribute
50 Grams or More of Methamphetamine, in violation of 21 U.S.C.
§§ 841(a)(1) and 846, a Class A felony

Original Sentence: Thirty-six (36) months imprisonment and five (5) years supervised
release with the following special conditions: 1) Defendant shall
participate in a substance abuse program, which may include drug
and alcohol testing, at the discretion and direction of the Probation
Office. Defendant is to refrain from the possession and/or use of
alcohol while participating in substance abuse treatment; and
2) Defendant shall execute all financial disclosure forms requested
by the Probation Office and provide access to any requested
financial information.

Type of Supervision: Supervised Release Date Supervision Commenced: 7/31/2007

PETITIONING THE COURT

[X] To modify the conditions of supervision as follows:

*General Condition: Jeremiah Mayeda, as a condition of supervision, shall submit
to one drug test within 15 days of release from imprisonment
and at least two periodic drug tests thereafter, not to exceed
six tests per month, as directed by the Probation Officer,
pursuant to 18 U.S.C. 3583 (d).*

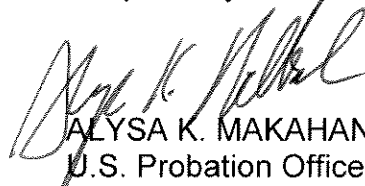
CAUSE

The subject's term of supervised release commenced in the Central District of California (CD/CA) on 7/31/2007. Our office recently received a letter from the subject's supervising probation officer in that district requesting the above-noted modification. Reportedly, the subject will soon complete an outpatient substance abuse treatment program. In light of U.S. vs. Stephens, the probation officer is requesting the authority to continue random drug testing outside of treatment in order to monitor the subject's compliance. The subject's substance abuse history includes the use of marijuana and alcohol prior to his arrest for the instant offense.

Our office supports this request and respectfully recommends the Court modify the mandatory drug testing condition (general condition) to authorize and allow random drug testing to continue for the duration of the subject's supervision term. Attached is a signed Waiver of Hearing to Modify Conditions of Supervised Release. The subject waives his right to a hearing and to assistance of counsel. The subject agrees to the modification of the conditions of supervised release. The subject's attorney and the U.S. Attorney's Office have been notified of the proposed modification and have no objections to the modification.

This report also serves to inform the Court that the CD/CA will accept a transfer of jurisdiction. This transfer will expedite any future matters that may require Court intervention. Should the Court concur with the request to transfer jurisdiction in this case, Your Honor's signature is requested on both originals of Probation Form 22, Transfer of Jurisdiction.

Respectfully submitted by,



ALYSA K. MAKAHANALOA
U.S. Probation Officer Assistant

Approved by:



TIMOTHY M. JENKINS
Supervising U.S. Probation Officer

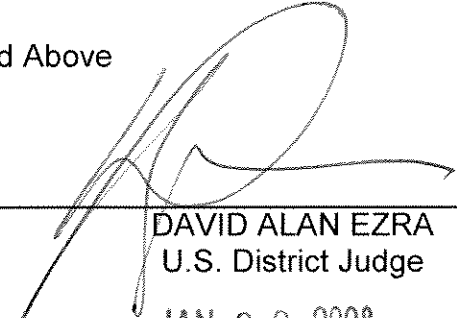
Date: 1/25/2008

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THE COURT ORDERS:

- ☒ The Modification of Conditions as Noted Above
☐ Other



DAVID ALAN EZRA
U.S. District Judge

JAN 29 2008

Date

PROB 49
(3/89)

United States District Court

_____ District _____ of Hawaii _____

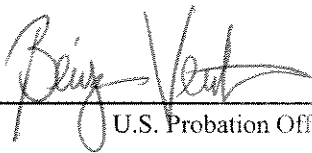
Waiver of Hearing to Modify Conditions of Probation/Supervised Release or Extend Term of Supervision

I have been advised and understand that I am entitled by law to a hearing and assistance of counsel before any unfavorable change may be made in my Conditions of Probation and Supervised Release or my period of supervision being extended. By "assistance of counsel," I understand that I have the right to be represented at the hearing by counsel of my own choosing if I am able to retain counsel. I also understand that I have the right to request the court to appoint counsel to represent me at such a hearing at no cost to myself if I am not able to retain counsel of my own choosing.

I hereby voluntarily waive my statutory right to a hearing and to assistance of counsel. I also agree to the following modification of my Conditions of Probation and Supervised Release or to the proposed extension of my term of supervision:

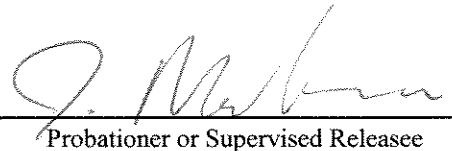
Jeremiah Mayeda, as a condition of supervision, shall submit to one drug test within 15 days of release from imprisonment and at least two periodic drug tests thereafter, not to exceed six tests per month, as directed by the Probation Officer, pursuant to 18 USC 3583 (d).

Witness



U.S. Probation Officer

Signed



Probationer or Supervised Releasee

12/6/07

Date